

Appl. No. 10/645,764
Amdt. dated April 4, 2005
Reply to Office Action of January 4, 2005

REMARKS

Favorable reconsideration is respectfully requested in light of the above amendments and the following comments. The specification has been amended to provide antecedent basis for claims 6 and 17. Claims 2 and 17 have been amended for clarity. Claims 3-5, 9, 11, 13-16 and 19 have been canceled and claims 20-25 have been withdrawn from consideration. No new matter has been added as a result of these amendments.

The Examiner has objected to the drawings under 37 C.F.R. §1.83(a) for not showing every feature of the claimed invention. The claims have been appropriately amended, thereby eliminating the issue. Favorable reconsideration is respectfully requested.

The Examiner has objected to the specification for failing to provide proper antecedent basis for the claimed subject matter. The specification has been appropriately amended, thereby eliminating the issue. Favorable reconsideration is respectfully requested.

The Examiner has objected to the claims for several informalities. The claims have been amended as appropriate. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claims 2-5, 7, 9, 14 and 15 under 35 U.S.C. §112, second paragraph, as indefinite. The claims have been amended as appropriate, thereby rendering the rejection moot. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claims 1-6, 17 and 19 under 35 U.S.C. §102(b) as anticipated by Chien et al., U.S. Patent No. 5,891,114. As only claims 7 and 18 have been indicated to be free of art-based rejection, it would appear that the Examiner has intended to reject claims 1-6, 8-17 and 19 as anticipated by Chien et al., and thus Applicant

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will address the rejection accordingly. In order to anticipate, the cited reference must disclose each and every claimed element. Chien et al. fail to do so.

In particular, independent claims 1 and 10 (and hence the claims depending therefrom) describe a catheter braid (claim 1) or catheter (claim 10) that is formed from at least two continuous wires that have been woven together. The braid includes a proximal section in which each of the continuous wires has a proximal cross-sectional area and a distal section in which each of the continuous wires has a distal cross-sectional area that is less than the proximal cross-sectional area of the continuous wire. Thus, the claim requires that at least two continuous wires extend through both the proximal section and the distal section of the catheter braid. Each of the continuous wires has a proximal size within the proximal section of the braid and a smaller distal size within the distal section of the braid.

Chien et al. do not disclose this. The Examiner has pointed to Figures 7 and 8 of Chien et al. Figure 7 of Chien et al. describes (see also column 12, lines 24-28 of Chien et al.) a more distal braid (262) that is either an extension of ribbon braid (266) with some of its elements removed or it may be an independent braid that has been placed distally of braid (266). Figure 7 does not meet the claimed requirement regarding a change in cross-sectional area of each of the continuous wires extending through the distal and proximal braid sections.

Figure 8 of Chien et al. also fails to meet the claimed invention. As discussed at column 14, lines 55-65 of Chien et al., Figure 8 shows a variation in which woven braid (282) is formed of a wire, and is abutted against braid (262). These are distinct sections butted together. Indeed, braid (262) is described as preferably being made from a super-elastic alloy, while braid (282) is described as preferably being made from stainless steel. Clearly, these are distinct sections.

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Thus, Chien et al. fail to describe the claimed braid (or catheter) in which there are at least two continuous wires, each wire having a proximal diameter or cross-sectional area and a smaller distal diameter or cross-sectional area. Therefore, Chien et al. cannot be considered as anticipatory. Favorable reconsideration is respectfully requested.

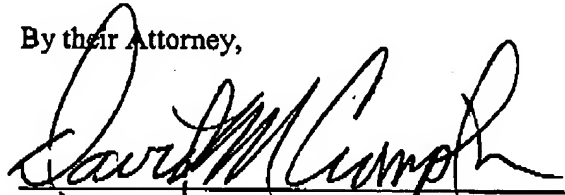
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Pu Zhou

By their Attorney,

Date: 4/4/05



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